

Intimations.

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MONTERRAT LIME FRUIT JUICE,

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THE HONGKONG DISPENSARY,

Established A.D. 1841.

8th May, 1888.

The Hongkong Telegraph

HONGKONG, TUESDAY, MAY 29, 1888.

When a telegram was received on the 12th inst. by Governor des Vieux from Sir Henry Loch, Governor of Victoria, which denied that the authorities of that colony in prohibiting the Chinese immigrants on board the steamship *Afghan* from landing in Melbourne, had adopted a new policy, but had merely ordered a strict enforcement of the existing law, most people in Hongkong were at a loss to understand what was really meant. In referring to this telegram we wrote:

"The telegram from the Governor of Victoria to Governor des Vieux throws very little additional light on the Chinese deadlock in Australia; in fact, it appears to be a mere quibble on words. Whether the refusal to allow the Chinese immigrants on board the steamship *Afghan* to land at Melbourne is or is not a new policy in the opinion of Sir Henry Loch—or rather of Mr. Hume Gillies, the Victorian Premier—is of very little moment in face of the facts that their landing is prohibited, and that they are now on their return voyage to Hongkong. Nor is it of any particular interest whether the Chinese are to be excluded from Victoria by the strict enforcement of the existing law or by a new enactment, so long as it has been decided that they are to be kept out. And on that point there would appear to be no room for doubt."

To the initiated, those acquainted with the laws of the Colonies regulating Chinese immigration to Australia, the Governor of Victoria's direct denial could only point to one conclusion, namely, that the law prohibiting steamers from bringing into Victorian ports more than one Chinese passenger for every hundred tons of the ship's register, had been taken advantage of to appease the sudden clamour which had arisen against the Chinese. And that this inference was substantially correct is clearly shown by the Australian telegrams published in our issue of yesterday. When the *Afghan* arrived at Melbourne on April 27th, she was immediately admitted to *quarantine*, which makes Governor Loch's references in his telegram of May 8th to the Order in Council authorising the detention of vessels from Hongkong, Singapore, etc., by the health officer, quite incomprehensible. There would seem to be no pretence whatever for His Excellency's intended inference that the *Afghan* had infringed the Public Health Acts. Of the sixty-seven Chinese passengers for Melbourne—out of the steamer's full complement of 268—fifty-eight possessed naturalisation papers, which were detained by the Secretary for Trade and Customs, who was satisfied that they had never been issued to the persons who produced them. Now, if the evidence were conclusive that these 58 Chinese were trying to smuggle themselves into Victoria on bogus pass-ports, thus evading payment of the poll-tax, there cannot be the least doubt that the Melbourne authorities would have been perfectly justified in protecting their Customs revenue in the ordinary way provided by law. The 58 Chinese were quite well aware of the poll-tax regulations in Melbourne, and if they deliberately attempted to defraud the Government they richly deserved condign punishment. But it was apparently not enough for the Victorian Government, to punish the guilty—assuming these Chinese to have been guilty of trying to enter the country under false pretences—; hurriedly adopted measures were sanctioned which bore very hardly and most unfairly on the owners and charterers of the *Afghan*, on the shippers of cargo, and on the legitimate immigrants for Melbourne and other ports. Because a number of Chinese were detected in an attempt to impose upon the Customs authorities, the Government decided to "boycott" the ship and all on board by putting in force the law regulating immigration by tonnage allowance. The Captain was threatened with prosecution under this law if he allowed any of his passengers to land, his vessel was removed to the Quarantine station, and police were placed on board to prevent the Chinese leaving. A complete "boycott" was thus established, and it was so strongly supported by the other Colonies that there was nothing left for the *Afghan* but to bring back

her living freight to Hongkong. And it is on this point that we join issue with Governor Loch's denial that a new policy had been adopted. The statement cannot be supported by facts. It may be true that *no new law* had been passed, but that is quite a different thing. The law limiting Chinese immigrants to one for every hundred tons of a steamer's burthen was in existence, but its enforcement having been allowed to fall in abeyance, it was practically a dead letter. The policy, therefore, of stopping the landing of all passengers, on the grounds stated by the Governor of Victoria, was a new one, and one of which some previous intimation should have been given. We have never disputed the right of the Colonies to regulate Chinese immigration in whatever manner they consider best for the interests of the country; but there is reason in every thing, and when, after the treatment meted out to the *Afghan*, Sir Henry Loch telegraphs to the Governor of Hongkong that the Victorian Government desire to obviate, as far as possible any loss or inconvenience to British merchants or passengers, we consider that he is adding insult to injury. From the consensus of opinion almost universal throughout Australia, there can be very little doubt that the exclusion of Chinese from the Colonies may be regarded as a settled thing; accepting this as an accomplished fact we have at least a good claim to expect that the Colonial Governments will inaugurate their new policy with every possible degree of fairness and moderation. More than this we have no right to demand.

LOCAL AND GENERAL.

For pasting up an illustrated placard of the Chinese colours of red and black, Chan Ahn, 22 years of age, calling himself a doctor, was haled up at the Police Court this forenoon before Mr. Sercombe-Smith and fined five Mexican, which he very unwillingly anted up.

The second homeward bound tea steamer, the *Glengyle*, left Hongkong at 9.25 a.m. on Tuesday the 22nd inst., and the Red Buoy at 10 o'clock on the morning of the 24th. One of the oldest Shanghai residents, Mr. W. Saunders, who has been out since 1861, was a passenger by the *Glengyle*.

DIVING to a report of the death from cholera at Amoy of a ship captain, the Manila authorities have imposed a quarantine of ten days on vessels from the first named port. The China and Manila Co.'s steamer *Zufro* having been placed in quarantine, the Agents of the Company here (Messrs. Russell & Co.) despatched the *Diamond* direct instead of via Amoy.

The *Avenir du Tonkin* notifies the death of Monsieur Bullod, formerly Treasury accountant of Cochinchina, under rather sad circumstances. Deceased was appointed clerk to the Residency of Ninh-binh at the commencement of this month, but a few days after his arrival he succumbed to an attack of dysentery, leaving a widow and child to mourn his loss. A subscription was started at Hanoi, on behalf of the bereaved, had reached a high sum.

This afternoon Mr. Sercombe-Smith reconsidered the decision he gave yesterday in regard to the *Wing-sang* steam launch trouble. He fined the respective owners of the launches and cargo boats which were made fast to the steamer, one dollar each, and ordered them to reimburse the junk owner, who claimed \$140 damages. How far the owners of these craft are liable to pay for the damage to the injured junk, damage which they did not cause, is a nice question of law which his Worship did not go into, but which, were we one of the persons concerned, should certainly be referred to the Supreme Court.

The free trips offered to the public by the Peak Tramway Company attracted a numerous concourse of people this afternoon to the breezy heights overlooking the city. Chinese sight-seers mustered in great force, and once landed at the Gap spread themselves all over the adjoining highlands, belauding the trip with repeated *hi-yahs*. A goodly number of European ladies were among the passengers, who by their courageous initiative will in all probability dispel that remnant of fear which may still linger in the breasts of the weaker sex. There can only be one opinion about this new source of pleasure opened to the Hongkong public, and it is that the Peak Tramway fully deserves to become a great and lasting success.

At the Police Court this morning before Mr. Sercombe-Smith, H. A. Clark, a private of the 58th Regiment, was charged by Blanche Propwitt, living at No. 19, Graham street, with "assaulting" her this morning at 3 a.m. Complainant, who speaks English very imperfectly, said that she found defendant coming up the stairs into her room at the hour named, and seeing that he was a soldier ordered him to go away, which he refused to do. An altercation ensuing, the defendant struck her on the face and knocked her down, on which she sent her servant for the Police. A Chinese "boy" gave corroborative evidence. P. C. Carson said he was called to No. 19, Graham street at 3 o'clock this morning by the servant of complainant, and getting to the house he found the accused and complainant quarrelling. The woman called the accused by a very bad name on which he struck her over the face, knocking her down. The defendant, replying to the magistrate, said he gave the woman a dollar and did not intend going away till he got it back. He admitted having been "up" before. The very ungallant warrior was fined \$10 or in default 3 weeks in goal with hard labour.

The Spanish Government, says the Manila *Comercio*, will shortly enforce a system of mutual exchanges between Spain and her foreign possessions which is calculated to remedy the evils caused by the continual oscillation of rates.

The Band of the Northamptonshire Regiment will play at the Officers' Mess, Murray Barracks, this evening, commencing at 8 o'clock. The following will be the programme:—

March "Anchored" Dyke.
Overture "Sold" "The Camer."
Vol. "I'll be good to you" "The Camer."
Gavotte "First Kiss" Schubert.
Polka "Reminiscences of Gend" Colloff.
Selection "Larghetto" Colloff.

JOHN MORAN, Bandmaster.

TELEGRAMS were received in Shanghai last Monday afternoon (May 21st), to the effect that the weather was then so stormy at Hankow that the *Glengyle* could not proceed with her loading, and that she would not consequently be able to get away till the night of the 22nd inst. The *Ningchow*, *Dervenne* and *Prometheus* were to load at 30 per ton. The Ocean Tea Steamer race lottery at Hankow resulted as follows:—*Moyne* \$280, drawn by Captain Hogg; *Glengyle* \$101; Field \$70, and *Prometheus* \$10.

The United States Republic still keeps well to the front on all questions affecting the happiness of mankind, even when extended to the taking away of life. A body called the New York Assembly has passed a Bill by 87 votes to 8, substituting death by electricity for hanging by the neck in all criminal cases, and also prohibiting the publication in newspapers of the details of executions. The Bill will very probably pass through the Senate, as it is strongly and numerously supported by all the leading men in the country.

We regret to hear of the sudden death at Manila on the 21st inst. of Signor Augusto Cagli, the well known *Impresario* of various Italian opera companies that have visited the Far East. The funeral of the deceased, who was a Chevalier of the Crown of Italy, on the 22nd instant was attended by all the members of the Opera Company and by a large number of friends. Signor Cagli was a man of great energy and ability, and he will be best remembered throughout China for his attempt to arrange an International Exhibition at Shanghai about eight years ago.

SAYS the Bangkok *Times* of the 16th inst.:—At 2.30 a.m. on Saturday last the watchman of the Mahanack Saw Mill discovered that the premises were on fire, and in spite of every assistance the flames were not effectually extinguished until the main building had been partially destroyed. Considerable damage has been caused to the machinery—a new plant imported about two years ago from Ransome & Co., England—but the stacked timber has suffered very little. The property was insured about six months ago for \$24,000 and it is fortunate for the Insurance Company (the China Fire) that the whole stock of timber was not consumed. As usual, the origin of the fire is unknown.

At the Police Court yesterday the master of a junk was charged by P. C. Gilmore with anchoring on the 28th inst. in a prohibited part of the harbour and thus endangering the telegraph cable running across from East Point to Kowloon. Gilmore explained that the junk was half way across the channel and thought the master should have known that he was anchored in the vicinity of the cable as the craft was a regular Hongkong trader; she was within sight of two boards which warn navigators to keep clear of anchoring near the cable. The skipper, in answer to Mr. Wodehouse, said the weather was stormy and wet, and he only stopped till the clouds rolled by. His Worship fined the old shell \$5 for his infraction of the law, storm or no storm.

We learn from Singapore that the vessel with which the *Arratoon Apar* was in collision in the Straits was the Ocean Company's steamer *Hibi*, one of the small "blue funnel" steamers employed locally. It appears that the *Hibi*, going at full speed, struck the *Arratoon Apar* on the port bow, almost at right angles; knocking the stern all over to starboard and almost cutting the bow right off. The damage done was serious, and had the collision bulk-head not escaped injury and held on all right, it is quite likely that the *Arratoon Apar* would have gone to the bottom. Luckily the bulk-head held on and the vessel was able to reach Singapore in safety where it was found that the cargo had escaped damage. The bow of the *Hibi* was smashed right in by the force of the collision, but her water-tight bulk-head saved her, and the Captain ran direct to Malacca, the nearest port, whence, after discharging cargo, etc., he will return to Singapore.

We observe from Saigon papers that the line of railway from Saigon to Mytho has been put up to public tender, for a period of ten years, dating from the 1st of next September. This line, constructed by the Government of Myre de Vilers at enormous expense, has been running for a very short time, and, speaking from personal observation, we should think it has hitherto proved a conspicuous financial failure—at all events so far as the French Government has been concerned. We believe the line was originally projected with the idea of "tapping" the immense rice growing districts lying between Saigon and Mytho, but up to the present time the hopes of a remunerative traffic in this direction have not been realised—in fact, we believe that no rice has yet been conveyed by rail to Saigon. The passenger traffic, as anyone who has visited Mytho—a wretched collection of poverty stricken hovels—must be well aware, could never attain any importance, and if the fares pay the wages of the employees, without reckoning the cost of the line and its running expenses, we shall be very much astonished. The Company now running the Saigon-Mytho railway receive from Government a subsidy equal to 6 per cent. per annum on their paid up capital, and it is this liberal douceur that keeps the concern afloat. For political or military purposes this railway is doubtless valuable; but as a commercial speculation it will for many years to come fail to pay working expenses.

COLONEL AROLAS, the Spanish hero who has distinguished himself so greatly in Sooloo, left Manila on the 15th inst. for that island, where he is to conduct fresh expeditions against the native rebels.

NOTWITHSTANDING the prohibition to Chinese in Manila holding in stock any considerable quantity of kerosene in the city, a Christianised Celestial named Joaquin Chau was arrested on the 14th inst. for having in his house 236 cans of that inflammable material.

CHEUNG ALUN, aged 26, a cook out of employ, was to-day charged by Mr. W. Parfitt of the P. & O. Company, with taking a number of Chinese on board the steamer *Deccan* on the 28th inst., and secreting them there; also with being in possession of one brass key valued at 5 cents—the property of the P. & O. S. N. Company. Mr. Sercombe-Smith remanded the case till Friday next at 2 p.m., bail being allowed in two sureties of \$5 each.

THE Editor of the *China Mail* proposes after the starting of the Peak tramway to send his precious journal each evening by the cars to the Peak Terminus "to all subscribers who notify that they prefer this arrangement and will send their copies to the station to fetch their papers." It would be curious to know the number of paying subscribers to the *China Mail* who reside at the Peak. We have a notion that, packed closely together, they would not greatly overcrowd a "ricksha of ordinary dimensions."

THE following improvements to the city of Hanoi are mentioned by the *Avenir du Tonkin*: A large building will be erected for the department of Posts and Telegraphs; the markets are to be considerably enlarged; the studies in connection with the Hon-dau lighthouse having been concluded, its erection will soon be commenced; the road leading from Do-son to Lach-tray will be paved along its whole length; the canal surrounding the citadel will be deepened three metres and traversed by iron revolving bridges; a navigable canal joining the Lach-tray with the Song-tam-bac will be opened, to enable the gunboats to reach the port with fewer turns; and Courbet, Harmand, and Son-tay Streets will have lateral cuttings. These and other measures, which will be carried out without delay, will, says our contemporary, transform Hanoi into a great city, with fine roads, broad side-walks, and elegant public and private buildings.

TO-DAY James Clifton, a private in the Northamptonshire Regiment charged a Chinese cook with stealing on the 26th inst. 1 lb. of beef, valued at 75 cents, "the property of the Queen." The culinary artist was found in the act of leaving Victoria Barracks with the meat tied round his waist and coming from the direction of the cook-house, where he was employed as a "washer up." The ration had been drawn about an hour previously and should have been taken to the cook-house and there cut up by the head cook. Beef had been going a-missing for some time and that found on the person of the prisoner was in excellent condition. Prisoner explained that the beef was given to him because it was "no good." Inspector Hennessy, who had charge of the case, said the head cook could not be found anywhere; when the prisoner was brought to the station he said the head cook gave him a dollar a month to take the beef out of the Barracks gates, that he sometimes took it to Kowloon city and at other times to a bumbast in the harbour. Mr. Wodehouse, as the prisoner had no further statement to make, sent him into retirement for one month.

MESSRS. JARDINE, MATHESON & CO. were to-day summoned at the Police Court by P. C. Tai Kam Wa, with obstructing the footpath on Praya West on the 27th inst. Complainant said that at 5 p.m. on that day he found two weighing scales at the entrance to No. 2 Godown belonging to defendants; several men were weighing sugar and thus obstructing the footpath. He informed the man in charge, of this, but he refused to move and went on weighing without making any answer. Complainant did not know for certain that the godowns belonged to defendants but he was informed they did. Inspector Swanston said the constable reported the obstruction to him at the P. & O. Godowns and he sent him to find out who the sugar belonged to. He came back and said it was Jardine's. Mr. A. MacClumont, who represented the defendants, asked the Inspector if he generally took out a summons on the strength of a report; he denied that the sugar belonged to his firm and said they had had no sugar weighed since Friday last, and that was not at the P. & O. godowns—he thought it was a most atrocious thing that people should be summoned simply on the strength of a report. His Worship dismissed the summons.

SAYS the *M. C. Daily News*:—We are informed on good authority that if the Tannery has not been actually bought by the China Merchants' S.N. Co., at least one of the directors is heavily interested in the purchase. Plans for the construction of a Wharf and the necessary alterations, to the buildings have been made by Messrs. Boyd & Co., Messrs. S. C. Farnham & Co., and Mr. Samuel J. Morris, and we hear that the last named gentleman's plans have been selected, and that the work will be taken in-hand at once. Although the site is outside the harbour limits, it has such a good depth of water alongside the intended wharf, 28 feet, that it is an excellent place, and if it is bonded, as it is believed will be the case, it will no doubt be very popular for kerosene oil and other heavy goods, and is likely to seriously interfere with the wharves at present existing on the Pootung side of the river. Pootung is going ahead so fast that we shall before long hear of propositions for a swing bridge across the river from the English or French bank, a perfectly feasible scheme. It is also reported that the China Merchants' Company, urged to it by the very heavy bills for dockage which they pay annually, are contemplating the construction of a dry dock on or near this site, and that they have already secured the necessary plans.

THE following are the values of the Imports and Exports of the four principal ports of the Philippine Islands during the first quarter of this year:—Imports, Manila, \$3,985,001; Iloilo, \$4,939,997; Cebu, \$7,994,204; Zamboanga, \$302,621. Total, \$4,559, \$542. Exports: Manila \$5,238,724; Iloilo, \$1,013,610; Cebu, \$774,295; Zamboanga, \$995. Total \$7,031,625.

ACCORDING to the Annual Customs Report of Annam and Tonquin, recently published by the *Avenir du Tonquin*, the total value of Imports in 1887 was frs. 38,367,724.95, against Exports amounting to frs. 10,051,801.40. The total tonnage of ships entering the ports of Haiphong, Touron, Quinhon, Xuan-day and Cam-rant was 45,945.69, and the clearances tallied during the same period 64,605.49 tons.

YAM CHIN, Conservancy contractor, was to-day summoned at the Police Court by James Clerihew, Inspector of Nuisances, for committing on the 26th inst. a breach of a clause in his contract by permitting No. 6 and 8 night-soil boats to leave the wharves along the Praya before 7 o'clock in the morning. The Inspector said he found this morning a great deal of offensive matter floating about in the harbour near the Praya, and the conclusion was that such could not have existed if the boats had remained up to the regulation hour. The defendant admitted that one boat had left on which Mr. Sercombe-Smith fined him \$5.

SAYS the *Chinese Times*:—The enormous new powder mill at the Tientsin Arsenal on the north side of the river is now nearly complete, and much of the machinery has been connected and is in working order. This powder works was designed by Herr Jauss, who left at the end of the past year. It is said that it is, as regards size and capacity of production, one of the largest and finest powder factories in the world. The manufacture of the new German brown powder will shortly be commenced, as the new rifled guns from Krupp, Creusot, and Armstrong require the exclusive use of slow-burning powder. The new brown powder resists the action of the elements better than the old pebble and small grain kinds, and is less deliquescent.

A FEW months ago a body of prominent Englishmen, amongst whom was Sir Lyon Playfair, went across to the United States and interviewed the President regarding one of the most important subjects which friendly nations have ever discussed. Their object was to invite the United States to refer all political questions which might come into dispute between that country and Great Britain to friendly arbitration, and although President Cleveland could not at that time give them an answer in the affirmative he made it clear to the British interviewers that his sympathies went with them. As an answer to the heralds of peace "and good-will towards men" we now find that Senator Allison, Republican (Iowa), has introduced a bill to promote and perpetuate peace between the United States, Great Britain, and France by establishing a permanent international court of arbitration. The measure authorises the President to institute negotiations with Great Britain and France with a view to create a permanent tribunal for international arbitration in all differences and disputes that may arise between the respective countries, and devotes a sum of \$50,000 to the expenses of the negotiation. Thus the commonsense ideas of the people will sooner or later prevail against the passions, the prejudices and the vanities of ambitious monarchs and their time-serving ministers.

SOME of the smuggling fraternity got into trouble yesterday morning for running in illicit opium. The first was the case of a coolie who was found with three taels of the smoking mixture making his way across the border from Sam-sui-po. E. O. 25 declared:—On the 27th inst. at 3 p.m. I met the defendant coming from Sam-sui-po and walking towards British Kowloon. I stopped him and on searching his person found the opium quantity. Mr. Spooner, chief officer of the Excise, said it was a common custom for people to buy opium at Sam-sui-po and sell it in British territory. The opium brought in this way had already paid *lekin* and could then be disposed of at Yau-mati and other villages at a profit—the *lekin* was 5 cents a tael. The cost of the raw opium after paying *lekin* is 44 cents per tael and it is constantly being brought over the borders in this way. The defendant said he was taking it because a friend asked him to do so. Mr. Wodehouse fined the accommodating gentleman \$35, but being short of the needed fee went into retirement for twenty-one days. Another coolie who was found by the Excise officers with 20 taels on his person on the 27th inst. while coming out of a brothel in Square Street was fined \$100 or three months, the latter penalty falling to his destiny. He was also doing it "to oblige a friend," so were two other individuals with 34 taels between them who got six weeks each.

THE Douglas Co.'s new steamer *Haitong*, whose trial trip we reported yesterday, will trade between Hongkong and Formosa. She has been built of steel to the highest class at Lloyds, and has a Board of Trade foreign-going certificate. Her dimensions are 230ft. by 33ft. beam, by 21ft. depth moulded. She has been fitted with triple expansion engines of the latest type, with Ramsay and Ferguson's arrangement of valve gearing for economising force and aft space. The cylinders are 23, 37, and 39 inches diameter, with a stroke of 39 inches, and work at a pressure of 160lb. per square inch, and on the trials the engines indicated over 1,300 horse-power. Steam is supplied by two large steel boilers, with patent corrugated furnaces. The vessel carries 1,000 tons dead weight cargo, with a draft of 15ft. She has been built and fitted up specially for the Chinese trade. Her twelve decks fore and aft are adapted for carrying Chinese passengers, and the berths are movable, so that when she has to carry cargo only the twelve decks can be made clear for it. Accommodation for European travellers has been provided in the deck-house aft, and besides the sleeping apartments for twelve passengers, there is a handsome saloon, which will be used as a dining and sitting-room. The accommodation for the officers is situated in the fore-cabin, and of the top gallant, fore-cabin, and the Chinese cooking arrangements and other conveniences are placed under the bridge amidships. The decks and other woodwork are of teak. The rigging is of the schooner type, and there are full sets of awning fore and aft.

CHIARINI'S Circus has opened for a short season at Singapore. MESSRS. Carlowitz & Co. inform us that the chartered steamship *Heley*, of the Navigation General Line, left Singapore on the 23rd inst. for this port.

SUPREME COURT.

IN ORIGINAL JURISDICTION.

(Before Mr. J. Russell, Acting Chief Justice, and Mr. A. T. Leach, Acting Puisne Judge.)

TAM CHUN v. J. J. SPOONER.

In the Supreme Court this morning, before the Acting Chief Justice (the Hon. J. Russell) and the Acting Puisne Judge (Mr. A. T. Leach) the appeal of Tam Chun against the decision of Mr. Wodehouse, J. P., in an opium prosecution instituted by the respondent, chief excise officer for the Opium Farms, was heard. Mr. J. J. Francis, Q.C. (instructed by Mr. Moscop) represented the appellant, and the Attorney-General (the Hon. E. L. O'Malley) with Mr. Pollock (instructed by Messrs. Wotton and Deaton) appeared for the respondent.

Mr. Francis, in opening, read the statement of case, furnished by Mr. Wodehouse, J. P., which stated that the appellant was charged before him for that he, on the 31st December last, was unlawfully in possession of 15 taels of prepared opium without having a valid certificate from the Opium Farmer, contrary to Ordinance 1 of 1882, and that he was condemned to pay a fine of \$1,000, or in default to be imprisoned for six months. On behalf of the respondent it was proved that at 4.30 p.m. on the 31st December P. C. Young, accompanied by Chief Excise Officer, Spooner, and four other Excise officers, proceeded to the house No. 35, Bonham Strand, and by virtue of a warrant executed a small room on the ground floor. The approach was visible from the room. When the officers entered four men were lying on two beds, smoking, and the appellant was standing in the middle of the room. He was very excited, and demanded that the officers should be first searched. Young refused, as they had been already searched at the police station, and he knew the appellant's object was to gain time. By this time the four men had got off the beds and were in the middle of the room. The officers proceeded to search, and underneath one bed, partially concealed by a curtain, found fifteen taels of opium in a tin. Mr. Spooner stated that it had apparently been concealed hastily. The appellant had endeavored to prevent them from going to that part of the room, and had his efforts to cause the officers to be searched been successful it would not have been difficult for any of the four men, who had long loose coats, to have concealed the tin in his sleeve. On the tin was a red label, with "Tam Quong Yoon, from the Quong Woh shop," and other characters indicating that it was one of five tins, upon it. One of the four men, who had hold of the tin, tried to tear this off, apparently upon the instructions of the appellant. Spooner prevented him from doing so, however. The name Tam Quong Yoon was that of the appellant's father. A small quantity of opium was also found on a locked press. The appellant produced five opium presses for small amounts, and stated that he was a friend of the widow's, and that he had been told that the tin had been purchased by some member of the family of Tam Ah Teoi, who was anxious to ruin him, but no evidence was brought forward in support of this theory, but it was stated that the animosity on the part of Tam Ah Teoi was because of a decree obtained against her in the Supreme Court by which she, as the widow of appellant's brother, became liable to repay \$15,000, part of his estate to the appellant and another brother. The room in which the opium was found was used daily as a smoking room by the family, and a man who was a friend of the widow slept there at night, and could easily have secured the opium. The appellant kept the opium which he used in the press. (He—Mr. Francis—called their lordships' attention to the fact that evidence as to occupation was given by the respondents after the case had been closed on both sides, against which Mr. Moscop protested at the time, some of the evidence being thereupon struck out by Mr. Wodehouse. Mr. Spooner then proved that he arrested appellant in November with 25 taels of opium in a tin basket (this, as referring to a previous case, was foreign to the case under investigation, and was entirely inadmissible). On another occasion he found 17 taels of opium in the same room, in the press, which he broke open, as the appellant said he had not the key. On the 9th December, on a third visit, he at first refused to produce the key of the press, but ultimately did so. (This was utterly irrelevant to the question of occupation). Three taels of opium were found on that occasion, which the appellant alleged was put there by the officers. To disprove the appellant's assertion that he had nothing to do with the room except as an occasional visitor, Spooner proved that on the occasion of his visit the conduct of the appellant was that of a proprietor, such as holding the keys, &c. (This, Mr. Francis protested, was highly objectionable; the magistrate had no right to admit such evidence). In the absence of any corroborative evidence of conspiracy and in view of the decree of the Supreme Court which it was alleged gave umbrage to the widow being dated some three months prior to this, during which interval the appellant was found in possession of opium without a valid certificate, and twice convicted of a similar offence, he (Mr. Wodehouse) did not think there was sufficient probable evidence of the conspiracy to exempt the appellant from the consequences of the apparent possession of the 15 taels of prepared opium on the present occasion, and there being two previous convictions against him, he (the Magistrate) adjudged him to pay the full penalty of \$1,000.

Mr. Francis then proceeded with his argument. He submitted that the appellant was entitled to have that decision fully and completely set aside, inasmuch as the Magistrate had formed it on evidence of previous convictions which he deliberately, and formally took into his consideration as being part of the grounds on which he decided the fact of possession. The more fact that the decision was based on inadmissible evidence would in itself justify their Lordships in reversing it. There was no evidence to show that the certificate which the appellant produced did not refer to that opium. But even admitting that they did not, there was no evidence to show that the opium was in the appellant's possession, any more than that it was in the possession of any of the other men; there was nothing to connect him with the opium at all, except the illegal and inadmissible evidence as to previous convictions. The officers were paid for their discoveries in opium in the appellant's room, and fines imposed, therefore it was to their interest to obtain a conviction against the person, best sleeping apartments for twelve passengers, there is a handsome saloon, which will be used as a dining and sitting-room. The accommodation for the officers is situated in the fore-cabin, and of the top gallant, fore-cabin, and the Chinese cooking arrangements and other conveniences are placed under the bridge amidships. The decks and other woodwork are of teak. The rigging is of the schooner type, and there are full sets of awning fore and aft.

The Attorney-General in reply pointed out that Mr. Francis had simply affirmed that evidence as to previous convictions was inadmissible.

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